

### **REMARKS**

In response to the above Office Action the title and specification have been amended as requested, and a new Abstract is attached.

Regarding the expression W/V% on page 11, this means "mass per volume percent." See attached General Notices from the Japanese Pharmacopeia. According to Applicants, in the context in which it is used in the specification, it means g/100ml.

Regarding the expression "ratio of cont." on page 11, this stands for the relative ratio of the number of cells of each test sample relative to the number of cells of a comparative test sample. See page 11, lines 12-14.

Regarding the arrangement of the specification, the specification already contains the section headings required by Rule 77. It is noted, contrary to the Examiner's comments, that Rule 77 does not require that non-applicable section headings be included followed by the phrase "Not Applicable." The heading "Disclosure of the invention" has been changed to "Summary of the Invention" to comply with Rule 77(b)(7).

Regarding the rejection of the claims for obviousness-type double patenting over copending Application No. 10/574,696, Applicants will consider the matter further once the claims in this case are considered to be otherwise allowable.

In response to the rejection of claims 1-3 and 6-9 under 35 U.S.C. §102(b) for being anticipated by U.S. Patent No. 4,544,559 to Gil et al., hereafter Gil, claim 1 has been amended to include the subject matter of claim 3 and claims 2 and 3 have been cancelled. In addition, non-elected claims 10-38 have been cancelled to advance the prosecution of this case.

The present invention relates to a composition for applying to the skin containing a combination of adenosine monophosphate and uridine monophosphate or salts thereof. With such a composition, its cell proliferation promoting effect is more synergistically potentiated.

The excellent effects of the composition are described on page 31, last line, to page 33, line 2 of the specification, and is supported by Examples. Specifically, referring to Fig. 1 showing the results of Example 1, when uridine monophosphate is used alone, no cell proliferation promoting effect is exhibited, but when adenosine monophosphate and uridine monophosphate are used in combination, the cell proliferation promoting effect of adenosine monophosphate is potentiated. Thus, with the combined use of adenosine monophosphate and uridine monophosphate, the cell proliferation is not additively but synergistically promoted.

In contrast, Gil merely discloses a composition for nucleotide enriched humanized milk, which is taken orally, and is totally silent about a composition for applying to the skin. Therefore, the present invention is clearly distinguished from Gil as it is an external composition.

Regarding the rejections of claims 1-2 and 4-9 over Gazzani (U.S. 5,053,230) and Gazzani (U.S. 5,182,269), now that claim 1 includes the subject matter of claim 3, it is believed these two rejections are moot.

It is believed claims 1 and 4-9 are in condition for allowance.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: April 3, 2008

By: 

Arthur S. Garrett  
Reg. No. 20,338  
Tel: 202-408-4091

**Attachments:**

**New Abstract  
General Notices from the Japanese Pharmacopeia**

1566913\_1.DOC